

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17-BK 3283-LTS

(Jointly Administered)

Re: ECF No. 24186.

**This filing relates to the
Commonwealth.**

**MOTION OF THE COMMONWEALTH OF PUERTO RICO FOR LEAVE TO SUBMIT
A SPANISH LANGUAGE EXHIBIT AND FOR EXTENSION OF TIME TO FILE A
CERTIFIED TRANSLATION**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of the Commonwealth pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)², hereby submits this motion requesting the entry of an order, substantially in the form of **Exhibit A** hereto (the “Proposed Order”), granting the Commonwealth leave to submit a Spanish-language exhibit in connection with the Objection (as

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

defined below) being filed today and an extension of time to file a certified English-language translation, and in support thereof, respectfully alleges and prays as follows:

1. Today, the Commonwealth filed the *Objection of the Commonwealth of Puerto Rico to Proof of Claim (Claim No. 70324) of Empresas Omajede, Inc. and to Motion for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503* [ECF No. 24186] (the “Objection”).

2. In support of the arguments in the Objection, the Commonwealth attached as Exhibits F and G thereto an opinion dated November 15, 2021, issued by the Court of Appeals of Puerto Rico in connection with Case No. KLCE202101045, which is in an uncertified translation into English and in its original Spanish language (the “Opinion”), respectively.

3. Despite diligent efforts, the Commonwealth was unable to obtain a certified English-language translation of the Opinion from its original Spanish language prior to today’s filing. Accordingly, the Commonwealth seeks leave from this Court to submit the Opinion in its original Spanish language and requests an extension of 3 business days, to and including May 16, 2023, to file a certified English-language translation of the Opinion pursuant to Local District Court Rule 5(g).

[Remainder of Page Intentionally Left Blank]

WHEREFORE, the Commonwealth respectfully requests the Court enter the Proposed Order, attached hereto as **Exhibit A**, permitting it to file the Opinion in its original Spanish language and in an uncertified translation into English, granting it until May 16, 2023 to submit a certified English-language translation of the Opinion, and granting such other and further relief as is just and proper.

Dated: May 10, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

Carla García-Benítez

USDC No. 203708

Gabriel A. Miranda

USDC No. 306704

O'NEILL & BORGES LLC

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

/s/ Brian S. Rosen

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

PROSKAUER ROSE LLP

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

*Attorneys for the Financial
Oversight and Management Board
for Puerto Rico, as representative of
the Commonwealth of Puerto Rico*

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17-BK 3283-LTS

(Jointly Administered)

Re: ECF No. 24186.

**This filing relates to the
Commonwealth.**

**[PROPOSED] ORDER ON MOTION OF THE COMMONWEALTH OF PUERTO RICO
FOR LEAVE TO SUBMIT A SPANISH LANGUAGE EXHIBIT AND FOR EXTENSION
OF TIME TO FILE A CERTIFIED TRANSLATION**

Upon consideration of the *Motion of the Commonwealth of Puerto Rico for Leave to Submit a Spanish Language Exhibit and for Extension of Time to File a Certified Translation* (the “Motion”), filed by the Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of the Commonwealth pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)², and dated May 10, 2023, for an order granting the Commonwealth leave to submit a Spanish-language version of an opinion dated

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

November 15, 2021, issued by the Court of Appeals of Puerto Rico in connection with Case No. KLCE202101045, which is in an uncertified translation into English and in its original Spanish language (the “Opinion”), as Exhibit F and Exhibit G to the Objection,³ respectively, and an extension of 3 business days, to and including May 16, 2023, to file a certified English translation of the Opinion, as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and notice of the Motion was adequate and proper under the circumstances, and no other or further notice being required; and finding good cause for the requested relief, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. The Commonwealth is permitted to file a Spanish-language version of the Opinion.
3. The Commonwealth is permitted to file an uncertified English-language translation of the Opinion.
4. The Commonwealth’s certified English-language translation of the Opinion shall be due on or before May 16, 2023.
5. The Court retains exclusive jurisdiction to hear and determine any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.

Dated: _____

LAURA TAYLOR SWAIN
United States District Judge

³ Terms otherwise not defined herein shall have the meanings ascribed to them in the Motion.

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer